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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/784,919

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Simon G. Thompson

36-1806

1962

23117

7590

09/29/2006

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EXAMINER

LEE, WILSON

ART UNIT

PAPER NUMBER

2163

DATE MAILED: 09/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/784,919

Applicant(s)

THOMPSON ET AL.

Examiner

Wilson Lee

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 February 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>9/16/04, 7/19/04</u> . | 6) <input type="checkbox"/> Other: ____.  |

### **Specification**

The disclosure is objected because it lacks any section headings such as Background of the Invention, Summary of the Invention, Brief Description of The Drawings, Detailed Description of the Invention.

Correction is required.

Further, on page 8, line 17, "sever" should be changed to --server--.

### **Drawings**

Figure 1 is objected because it lacks the label "Prior Art" since the disclosure says that it is a typical structure.

Correction is required.

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the moderation means, moderation inputs, rating means for generating and storing a moderation value of Claim 1; an amendment moderation value generation means, a means for determining the validity and consistency of amendments and means for generating a moderation input of Claim 3; means for generating a user moderation value, user moderation value store of Claim 4; means for storing a quality rating for each resource of Claim 5; an analysis means, and a means for generating quality rating for each resource of Claim 6; amendment storage means for storing amendment proposal and means for receiving quality values relating the amendment, and means for amending the data resource of Claim 7; means for deleting amendment proposal of Claim 8; must be shown or the feature(s) canceled from the claim(s). Further the method of Claims 9-17 must be

shown in flow chart(s) to describe the steps or the feature(s) canceled from the claim(s).  
No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### **Claim Objections**

Claims 6, 9, 14, 16 are objected because of the following informalities:

In claim 6, line 3, "the said" should be changed to --said--. "such links" should be changed to --the links--.

In claim 9, line 4, "the said" should be changed to --said--.

In claim 14, line 2, "the said" should be changed to --said--.

In Claim 16, line 2, “. Wherein” should be changed to --wherein--.

### **Claim Rejections – 35 U.S.C. 112**

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-19 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

In Claim 1, “moderation means”, “moderation inputs”, “rating means” are not clearly described in the detailed description of the specification to enable one skilled in the art to make or use the invention.

In Claim 3, “an amendment moderation value generation means” is not clearly described in the detailed description of the specification to enable one skilled in the art to make or use the invention.

In Claim 4, “user moderation value store” is not clearly described in the detailed description of the specification to enable one skilled in the art to make or use the invention.

In Claim 5, “means for storing a quality rating for each resource” is not supported in the specification to enable one skilled in the art to make or use the invention.

In Claim 6, "analysis means for identifying reference links" is not supported in the specification to enable one skilled in the art to make or use the invention. "means for generating for each resource, the quality rating in accordance with... the resource." is not clearly described in the detailed description of the specification to enable one skilled in the art to make or use the invention.

In Claim 7, "amendment storage means for storing amendment proposals", "means for receiving quality values", and "means for amending the data resource" are not clearly described in the detailed description of the specification to enable one skilled in the art to make or use the invention.

In Claim 8, "means for deleting amendment proposals" is not supported in the specification to enable one skilled in the art to make or use the invention.

In Claim 9, "generating moderation inputs" and "generating a moderation value" are not clearly described in the detailed description of the specification to enable one skilled in the art to make or use the invention.

In Claim 12, "the user moderation value is stored for subsequent retrieval" is not clearly described in the detailed description of the specification to enable one skilled in the art to make or use the invention.

In Claim 13, "a quality rating is stored for each resource" is not clearly described in the detailed description of the specification to enable one skilled in the art to make or use the invention.

In Claim 16, "threshold is set at different values for additions to, and deletions from, the data resource" is not supported in the specification to enable one skilled in the art to make or use the invention.

In Claim 17, "amendment proposals for which the quality values pass .... are deleted" is not clearly described in the detailed description of the specification to enable one skilled in the art to make or use the invention.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 3, "moderation means" is not clear because its function is recording and is not moderating anything. Line 4, "moderation inputs" is not defined and it is not understood what it is. It is not understood where it comes from. Line 5, "moderation value" is not fully defined. It is vague whether it is a rating given by user or a "value" or "parameter" calculated by CPU based on user's given rating. "Amendments" is vague whether it is the data being amended from the data resource or an independent or individual amendment came from other unknown resource. Further, it is not understood whether it is the moderation means or the rating means for generating moderation value because it is claimed that the rating means for generating moderation value, on the other hand, the moderation value is determined by moderation

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inputs which is recorded by the moderation means. Since the rating does not receive or record any moderation inputs, how can it generate moderation value?

In claim 2, line 2, "qualities" is vague to the claimed invention because it is not understood why the amendment has "qualities" in any computer product.

In claim 3, line 3, "consistency of amendments" is vague because consistency is not defined and specified.

In claim 4, line 3, "in respect of inputs made by that user a user moderation value store arranged to store the user moderation values" is required to be rewritten. It is not understood. Is the underlined term storage means?

In claim 9, line 2, "moderation inputs" is not defined and it is not understood what it is. Line 3, "moderation value" is not fully defined. It is vague whether it is a rating given by user or a "value" or "parameter" calculated by CPU based on user's given rating. "Amendments" is vague whether it is the data being amended from the data resource or an independent or individual amendment came from other unknown resource.

Further, it lacks an essential step to connect the step of recording amendment to the steps of generating moderation inputs and generating a moderation value.

In claim 12, line 2, "in respect of each user in respect of inputs" is required to be rewritten. It is vague whether it is in respect of each user or in respect of inputs.

Claims 2-8 and 19 are vague by virtue of their dependency on claim 1.

Claims 10-18 are vague by virtue of their dependency on claim 9.

### **Claim Rejections – 35 U.S.C. 101**

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

The disclosed invention shown in claim 9 is inoperative and therefore lacks utility because it lacks any step for acquiring the amendments. Where did the amendment come from? It also lacks at least one step linking the step of recording amendments with the steps of generating moderation inputs and value to establish the method of generating and maintaining a data resource (as the invention intentionally claimed).

Further, it fails to provide useful results.

### **Claim Rejections – 35 U.S.C. 102**

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-19, in the very best understood, are rejected under 35 U.S.C. 102(e) as being anticipated by Cho et al. (6,741,986).

Regarding Claim 1, Cho discloses an apparatus (See Figure 1) for generating and maintaining a data resource, comprising a repository (13) for the data resource, access means (30) (See Figure 2) for allowing a plurality of users to amend the data resource, moderation means (34) for recording amendments made to the resource and

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moderation inputs relating to such amendments, and rating means (40) for generating and storing a moderation value (error count) for each amendment, the moderation value being determined by such moderation inputs (number of errors).

Regarding Claim 2, Cho discloses a means (20) for input of user-generated data, assessing qualities of amendments made by other users.

Regarding Claim 3, Cho discloses an amendment moderation value generation means (See Figure 2), comprising means (24) for determining the validity and consistency of amendments and means for generating a moderation input from the results of such determination.

Regarding Claim 4, Cho discloses a means (quality control) for generating a user moderation value (reviewer's rating) for each user of the system in respect of inputs made by that user (reviewer) arranged to store the user moderation value and means (28) (See Figure 2) for retrieval of user moderation values from the user moderation value store (information store),

Regarding Claim 5, Cho discloses a means (15) for storing a quality rating for each resource, and the rating means retrieves quality rating for a modified resource and generates moderation values in accordance with the retrieved quality rating.

Regarding Claim 6, Cho discloses an analysis means (12) for identifying reference links between resources, and means (18) for generating for each resource, the quality rating (quality control) in accordance with the number of such links referring to the resource (Further, see step 56 in Figure 3).

Regarding Claim 7, Cho discloses an amendment storage means (information store) for storing amendment proposals prior to implementation, means (quality control) for receiving quality values relating to the amendment proposals, and means (reassigned to the information extractor) for amending the data resource in accordance with the amendment proposals when the quality values (error count) pass a predetermined upper threshold (See Col. 2, lines 59-67).

Regarding Claim 8, Cho discloses a means (12) for deleting amendment proposals for which the quality values (error count) pass below a lower threshold or which have failed to pass the upper threshold within a predetermined period (See Col. 17, line 63 to Col. 18, line 7).

Regarding Claim 9, Cho discloses a method of generating and maintaining a data resource, by recording amendments made to the resource (a database for storing information) (See Col. 2, lines 28-67), generating moderation inputs relating to such amendment, and generating a moderation value (error count) for each amendment, the moderation value being determined by the moderation inputs (number of errors).

Regarding Claim 10, Cho discloses that the user-generated data is recorded (through means 20), assessing qualities of amendments made by other users.

Regarding Claim 11, Cho discloses that the validity and consistency (e.g. quality) of amendments are determined, and a moderation value is generated from the results of such determination (See Figure 2).

Regarding Claim 12, Cho discloses that a user moderation value (reviewer's rating) is generated in respect of each user in respect of input made by that user, and the user moderation value is stored for subsequent retrieval.

Regarding Claim 13, Cho discloses that a quality rating is stored for each resource (through means 15), and moderation values are generated in accordance with the quality rating.

Regarding Claim 14, Cho discloses that the reference links between resources are identified, and the quality rating (quality control) for each resource is generated in accordance with the number of such links referring to the resource (Further see step 56 in Figure 3).

Regarding Claim 15, Cho discloses that a quality value is generated relating to an amendment proposal, and the data resource is amended in accordance with the amendment proposal when the quality value (error count) passes a predetermined upper threshold (See Col. 2, lines 59-67).

Regarding Claim 16, Cho discloses that the predetermined threshold (threshold) is set at different values for additions to the deletions from, the data resource (See Col. 2, lines 59-67, Col. 17, line 63 to Col. 18, line 7).

Regarding Claim 17, Cho discloses that the amendment proposals for which the quality values (error count) pass below a lower threshold or which have failed to pass the upper threshold within a predetermined period (See Col. 17, line 63 to Col. 18, line 7).

Regarding Claim 18, Cho discloses a computer program product for carrying out the method (See Col. 6, line 65 to Col. 7, line 36).

Regarding Claim 19, Cho discloses a computer program product for use with the apparatus. (See Col. 6, line 65 to Col. 7, line 36).

### **Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Fernandes et al. (US 2003/0167195) discloses a system and method for prioritization of website visitors to provide proactive and selective sales and customer service online. Mizrahi et al. (7,092,821) discloses a large group interactions via mass communication network. Bala et al. (6,804,345) discloses virtual contact center with flexible staffing control. Wu et al. (6,741,967) discloses a full service research bureau and test center method. Scharber et al. (6,374,290) discloses a self moderated virtual communities.

### **Correspondence**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Wilson Lee whose telephone number is (571) 272-1824.

Papers related to the application may be submitted by facsimile transmission. Any transmission not to be considered an official response must be clearly marked "DRAFT". The official fax number is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Retrieval (PAIR) system. Status information for published

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applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Wilson Lee", written over a horizontal line.

Wilson Lee  
Primary Examiner  
U.S. Patent & Trademark Office

9/22/06